

FORM PTO-1390
(REV. 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

VGEN . P-055

U.S. APPLICATION NO. (If known, see 37 CFR 1.5

09/786105

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

INTERNATIONAL APPLICATION NO. PCT/CA99/01177	INTERNATIONAL FILING DATE December 10, 1999	PRIORITY DATE CLAIMED December 11, 1998
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TITLE OF INVENTION

Method and Kit for the Characterization of Antibiotic-Resistance Mutations ...

APPLICANT(S) FOR DO/EO/US

Robert Shipman

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. is attached hereto (required only if not communicated by the International Bureau).
 - b. has been communicated by the International Bureau.
 - c. is not required, as the application was filed in the United States Receiving Office (RO/US).
6. An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. is attached hereto.
 - b. has been previously submitted under 35 U.S.C. 154(d)(4).
7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. are attached hereto (required only if not communicated by the International Bureau).
 - b. have been communicated by the International Bureau.
 - c. have not been made; however, the time limit for making such amendments has NOT expired.
 - d. have not been made and will not be made.
8. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. A **FIRST** preliminary amendment.
14. A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. A substitute specification.
16. A change of power of attorney and/or address letter.
17. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. Other items or information:

International Preliminary Examination Report

U.S. APPLICATION NO. 09/786,105

INTERNATIONAL APPLICATION NO.
PCT/CA99/01177ATTORNEY'S DOCKET NUMBER
VGEN, P-05521. The following fees are submitted:**BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):**

Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1000.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$860.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$710.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$690.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00

ENTER APPROPRIATE BASIC FEE AMOUNT =**CALCULATIONS PTO USE ONLY**

Surcharge of \$130.00 for furnishing the oath or declaration later than 20 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

\$ 860.00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$
Total claims	21 - 20 =	1	x \$18.00	\$ 18.00
Independent claims	2 - 3 =		x \$80.00	\$
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$270.00	\$
TOTAL OF ABOVE CALCULATIONS =				\$ 878.00

<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.	+	\$ 439.00
SUBTOTAL = \$ 439.00		

Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).	\$
TOTAL NATIONAL FEE = \$	

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property	+	\$
TOTAL FEES ENCLOSED = \$ 439.00		

Amount to be refunded:	\$
charged: \$	

- a. A check in the amount of \$ 439.00 to cover the above fees is enclosed.
- b. Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 15-0610 A duplicate copy of this sheet is enclosed.
- d. Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

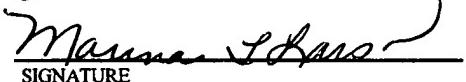
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:
OPPEDAHL & LARSON LLP



021121

PATENT TRADEMARK OFFICE


SIGNATURE
 Marina T. Larson, Ph.D.

NAME
 32,038
REGISTRATION NUMBER

02-28-01

09/786105CT

JCO rec'd PCT/PTO 26 FEB 2001

FEB 26 2001



VGEN.P-055

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Shipman
Serial No. : TBA
Filed : Herewith
Title : Method and Kit for Characterization of Antibiotic-Resistance Mutations in Mycobacterium Tuberculosis

CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.10

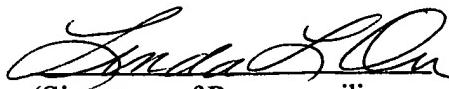
Applicant : Shipman, Robert
Serial No. : TBA
Filing Date : February 26, 2001
Title of Invention : Method and Kit for Characterization of Antibiotic-Resistance Mutations in Mycobacterium Tuberculosis
Title of Papers : Transmittal Letter to the United States Designated/Elected Office Concerning a Filing Under 35 U.S.C. 371
National Phase Patent Application
Preliminary Amendment
Recordation Form Cover Sheet
Assignment
Combined Declaration and Power of Attorney
International Preliminary Examination Report
Check No. 7251 for \$439.00

"Express Mail" Mailing Label
Number EL 556131456US

Date of Deposit February 26, 2001

I hereby certify that these papers and fee are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Box Patent Applications, Washington, D.C. 20231.

Linda L. Orr
(Typed or Printed Name of Person
mailing paper or fee)


(Signature of Person mailing paper or fee)